

Appln No. 10/622,221
Amdt date January 10, 2007
Reply to Office action of October 10, 2006

REMARKS/ARGUMENTS

Claims 1, 2, 4, 6, 9-17, 19 and 22-32 now remain pending in this application, with claims 33 and 34 withdrawn from consideration. By this amendment, Applicants have amended claims 1 and 17 and have canceled claims 3 and 18. Applicants have also amended claim 6 solely to correct the dependency of that claim. The amendments find full support in the original specification, claims and drawings. No new matter is presented. Accordingly, Applicants respectfully request reconsideration and a timely indication of allowance.

In the Office action dated October 10, 2006, the Examiner objected to claim 6, requesting correction of the dependency of that claim. Applicants have amended claim 6 in line with the Examiner's suggestion. Namely, Applicant's have amended claim 6 to depend from claim 1 rather than canceled claim 5. Accordingly, Applicants request withdrawal of this objection.

The Examiner also rejected claims 1-4, 6, 9-19 and 22-29 under 35 U.S.C. § 103(a) as allegedly obvious over Cox, et al. (U.S. Patent No. 6,161,543) in view of Whayne, et al. (U.S. Patent No. 6,203,525). However, Applicants have amended independent claims 1 and 17 to recite the limitations of claims 3 and 18, respectively, and have canceled claims 3 and 18. Specifically, Applicants have amended independent claims 1 and 17 to recite that the generally straight porous electrode arrangement includes a single, continuous coiled electrode wrapped around at least a portion of the non-conductive tubing. Neither Cox nor Whayne teaches or suggests such an arrangement.

While the Examiner admits that Cox fails to disclose a porous electrode arrangement, the Examiner relies on Whayne to remedy this deficiency. However, Whayne fails to disclose a single, continuous coiled electrode wrapped around at least a portion of the non-conductive tubing, as recited in amended independent claims 1 and 17. Rather, Whayne appears to disclose *multiple* electrode elements arranged in a spaced apart, segmented relationship. See Column 6, lines 32-35 and 43-46 and Column 21, lines 50-54. Indeed, Whayne must employ multiple electrode elements in order to operate them in a bipolar mode, as described at Column 6, lines

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58-61. Accordingly, amended independent claims 1 and 17, and all claims dependent therefrom, including claims 1, 2, 4, 6, 9-17, 19 and 22-29, are allowable over Cox and Whayne.

Finally, the Examiner rejected claims 30 and 31 under 35 U.S.C. § 103(a) as allegedly obvious Cox in view of Whayne and further in view of Fung, et al. (U.S. Patent No. 6,120,476), and rejected claim 32 under 35 U.S.C. § 103(a) as allegedly obvious over Cox in view of Whayne and further in view of Swanson, et al. (U.S. Patent No. 5,961,513). However, neither Fung nor Swanson remedy the deficiencies of Cox and Whayne. Specifically, neither Fung nor Swanson teaches or suggests a single, continuous coiled electrode wrapped around at least a portion of the non-conductive tubing, as recited in amended independent claims 1 and 17. Accordingly, independent claims 1 and 17, and all claims dependent therefrom, including claims 30-32, are allowable over Cox, Whayne, Fung and Swanson.

In view of the above amendments and remarks, Applicants submit that all of pending claims 1, 2, 4, 6, 9-17, 19 and 22-32 are in condition for allowance. Applicants therefore respectfully request a timely indication of allowance. However, if there are any remaining issues that can be addressed by telephone, Applicants invite the Examiner to contact Applicants' counsel at the number indicated below.

Respectfully submitted,
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